

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

Re: D.I. 1103

**DECLARATION OF JONATHAN CARUSO IN SUPPORT OF DEBTORS' OMNIBUS
OBJECTION TO MOTIONS FOR RELIEF FROM AUTOMATIC STAY UNDER
SECTION 362 OF THE BANKRUPTCY CODE**

I, Jonathan Caruso, hereby declare as follows:

1. I submit this declaration in support of the *Debtors' Omnibus Objection to Motions for Relief From Automatic Stay Under Section 362 of the Bankruptcy Code* [D.I. 1103]. I am the Director, Treasury & Risk Management for Big Lots, Inc. (together with its affiliated debtors and debtors in possession, the “**Debtors**” or the “Company”). I joined the Company in February of 2023.

2. Except as otherwise indicated, all facts set forth in this Declaration are based on my personal knowledge, my review of relevant data, or my opinion based on my experience, knowledge, and information concerning the Debtors. If called upon to testify, I would testify competently to the facts set forth in this Declaration.

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors' corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

3. The Debtors maintain a general liability insurance policy with Starr Indemnity & Liability Company to cover personal-injury related claims (the “**Liability Insurance Policy**”) which contains a \$1 million self-insured retention (the “**SIR**”) *per occurrence*, and which does not contain an exception for bankruptcy or insolvency. A true and correct excerpt of the Liability Insurance Policy applicable to the following litigations against the Debtors is attached to the Objection as **Exhibit 1**: (i) *Judith Owczarkowski, as Administratrix for the Estate of Norman Owczarkowski Norman Owczarkowski, Plaintiff, v. Big Lot Stores, Inc. et al, Defendants, Index No.: 807969/2022*; (ii) *Amy Eskra-Brown, Plaintiff, v. Big Lots Stores, Inc. d/b/a Big Lots, Defendant, GD-23-6899*; (iii) *Carol A. Donnelly, Plaintiff, v. Big Lots Stores, Inc. d/b/a Big Lots, (iv) Defendant; T’Ron Bowie, Plaintiff, v. Big Lots Stores, LLC; Big Lots Stores, LLC d/b/a Big Lots; Paragon Windermere, LLC; and (v) Lebanon Windmere, LLC, Defendant* (collectively, the “**State Litigations**”).

4. All amounts, if any, under the SIR will have to be paid out of estate assets. For the avoidance of doubt, the Debtors do not have an alternate source of funds to cover the SIR (such as a separate insurance policy to cover the SIR or collateral support for the Liability Insurance Policy).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Dated: December 16, 2024

By: /s/ Jonathan Caruso
Jonathan Caruso
Director, Treasury & Risk Management
Big Lots, Inc.